

## EASTERN DISTRICT OF TEXAS




The court has conducted a *de novo* review of the objections asserted by petitioner. After careful consideration, the court is of the opinion that the objections are without merit. As petitioner's grounds for review are not based on his having been convicted of a nonexistent offense and are not based on retroactively applicable Supreme Court decisions, *Reyes-Requena v. United States*, 243 F.3d 893, 904 (5<sup>th</sup> Cir. 2001), prevents his grounds for review from being asserted in a petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2241.

**ORDER**

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered denying this petition for writ of habeas corpus.

SIGNED at Sherman, Texas, this 30th day of September, 2008.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE